S.B. CIVIL WRIT PETITION NO.1687/2007.

Pushpa Joshi and ors.
Vs.
State and ors.

Date of Order :- 16/4/2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Shri Himanshu Agnihotri for the petitioners.

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Heard the learned counsel for the petitioners.

This writ petition has been filed by the petitioners with the prayer that F.I.R. No.20/2007 lodged at P.S. Malad, Mumbai against the petitioners for offences under Sections 498A, 406/34 I.P.C. may be quashed.

On perusal of the writ petition and upon hearing the learned counsel for the petitioners, I find that no part of cause of action on which this petition is founded has arisen within the territorial jurisdiction of this Court. Learned counsel for the petitioners

argued that from the contents of the F.I.R. it would be evident that the alleged offences have taken place at Jaipur and, therefore, it would give rise the cause of action arisen within the territorial jurisdiction of this Court and consequently jurisdiction to this Court to entertain the writ petition. If that be so, there is no reason why the petitioners cannot raise this argument before the Bombay High Court within whose jurisdiction the aforesaid F.I.R. has been registered. I am not inclined to entertain writ petition seeking quashment of the F.I.R. registered with P.S. Malad in the State of Maharashtra.

The writ petition is, therefore, dismissed for want of territorial jurisdiction.

(MOHAMMAD RAFIQ), J.

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